

DOCKET NO.: ISPH-0794 (ISIS0171-100)**PATENT****REMARKS**

Claims 1-9, 11, 17-22, and 25-29 are pending in the instant patent application. Applicants have herewith cancelled 1-9, 11, 18-22, and 25-29, amended claim 17 and added new claims 32-43. Amendments to claim 17 as well as newly added claims 32-38 find support throughout the specification and claims as originally filed. Specifically, support can be found from page 11, line 25 to page 13, line 6; page 16, lines 7-10; and page 19, lines 8-29. After entry of the claim amendments submitted herewith, claims 17 and 32-38 will remain pending in the instant application.

A. Oath/Declaration

The Examiner has asserted that the oath is defective because the inventor, Michael C. Giddings, did not sign the declaration as filed with the instant patent application. Applicants would like to refer to the IFW for the instant application on 10/15/2003; the application was filed with copies of the parent patent application's declarations. On page 12 of the "Oath or declaration filed" link, Michael C. Giddings clearly signed the declaration. Applicants respectfully request that this requirement be withdrawn.

B. Rejections under 35 U.S.C. § 112, 2nd Paragraph

Applicants respectfully traverse the Examiner's rejection of 1, 7 and 9 as being moot in view of the claim amendments submitted herewith, specifically the cancellation of claims 1-9. Applicants, therefore, request that these rejections be withdrawn.

C. Rejections under 35 U.S.C. § 102

Applicants respectfully traverse the rejection of claims 17-22 and 25-29 over Stewart as being moot in view of the claim amendments submitted herewith, specifically the amendment of claim 17 and the cancellation of claims 18-22 and 25-29. Applicants respectfully request that the rejection be withdrawn.

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Applicants respectfully traverse the rejection of claims 25-29 over Robinson as being moot in view of the claim amendments submitted herewith, specifically the cancellation of claims 25-29. Applicants respectfully request that the rejection be withdrawn.

Applicants respectfully traverse the rejection of claims 1-3, 5 and 7 over Smetsers as being moot in view of claim amendments submitted herewith, specifically the cancellation of claims 1-9. Applicants respectfully request that the rejection be withdrawn.

Applicants respectfully traverse the rejection of claims 25, 26, 28, and 29 over Tu as being moot in view of the claim amendments submitted herewith, specifically the cancellation of claims 25, 26, 28, and 29. Applicants respectfully request that the rejection be withdrawn.

D. Rejections under 35 U.S.C. § 103

Applicants respectfully traverse the rejection of claims 4, 6, 8, 9, and 11 over Smetsers as being moot in view of the claim amendments submitted herewith, specifically the cancellation of claims 4, 6, 8, 9, and 11. Applicants respectfully request that the rejection be withdrawn.

Applicants respectfully traverse the rejection of claims 17, 18, 20 and 21 over Tu as being moot in view of the claim amendments submitted herewith, specifically the amendments to claim 17 and the cancellation of claims 18, 20 and 21. Claim 17, as currently amended, does not include the sequence motif TCCC, described in Tu, in the possible activity-enhancing sequence motifs. Therefore, Tu does not contain all of the limitations of the claim and Applicants respectfully request that the rejection be withdrawn.

Applicants respectfully traverse the rejection of claims 17-22 and 25-29 over Tu in further view of Smetsers as being moot in view of the claim amendments submitted herewith, specifically the amendments to claim 17 and the cancellation of claims 18-22 and 25-29. Claim 17, as currently amended, does not include in the possible activity-enhancing sequence motifs TCCC motif described in Tu, nor does it include the CCC motif described in Smetsers. The combination of Tu and Smetsers does not teach all of the limitations of claims 17 as currently amended, therefore Applicants respectfully request that the rejection be withdrawn.

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Applicants submit that the present response is complete and complies with the requirements of 35 U.S.C. §121.

Respectfully submitted,



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